IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76297 of 2026

CNR No. BRHC011087442026

Arising Out of PS. Case No.-51 Year-2026 Thana- SAMASTIPUR District- Samastipur

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Jitendra Kumar Son of Basudev Rai R/O Village- Jitwarpur Chauth, P.S.- Mufassil, District-Samastipur ... ... Petitioner/s

Versus

The State of Bihar ... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

2 28-10-2026 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Samastipur Town PS Case No. 51 of 2026, instituted for the offence under Sections 309(4), 352, 351(2) of B.N.S. 2023.

3. The prosecution case, in brief, is that three masked men entered the establishment named Rahul Enterprises of the informant. It is alleged that at the gunpoint, they snatched a bag from an employee containing a laptop, personal documents and Rs. 1,81,000/- in cash. It is further alleged that they also took Rs. 2,50,000/- in cash from the cash register, which was the sales money for the past two days. It is further alleged that the informant suspects that the robbery was orchestrated by the other co-accused persons.

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4. The learned counsel for the petitioner submits that the petitioner is languishing in custody since 10.07.2026. Learned counsel further submits that the petitioner is not named in the F.I.R. and his name has been added lateron, on the basis of suspicion. Learned counsel also submits that no recovery has been made from the conscious possession of the petitioner and because of the criminal history of the petitioner, he has falsely been implicated in this case.

5. The learned APP for the State, drawing the attention of the Court towards the criminal history of the petitioner, has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard the parties and taking into consideration the fact that the charge-sheet has been submitted and also considering the fact that criminal antecedents, by themselves, cannot constitute sole ground for rejection of bail, as held by the Hon'ble Apex Court in the case of ***Abhimanue Etc. Etc. v. State of Kerala*** and also the fact that the name of the petitioner has been added merely on suspicion, this Court is inclined to grant bail to the petitioner.

7. Let the abovenamed petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand)

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with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Samastipur Town PS Case No. 51 of 2026, subject to the following conditions :-

(I) One of the bailors shall be the petitioner's own or close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and also co-operate in the process of trial.

(III) The petitioner shall not tamper with the prosecution evidence or influence/ intimidate any witness during the course of trial.

(IV) The petitioner shall not commit offence of a similar nature in future.

In case of violation of any of the aforesaid conditions, the Trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar, J)

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